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October 28, 1998

Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

RE: National Brands, Inc. d/b/a Sharenet Communications Company
Petition for Extension of Waiver in CC Docket 92-77

Dear Secretary Salas:

Enclosed for filing with the Commission on behalf of National Brands, Inc. d/b/a Sharenet Communications Company is an original and four (4) copies of the PETITION OF SHARENET COMMUNICATIONS FOR EXTENSION OF WAIVER in CC Docket 92-77.

To confirm the Commission's receipt of this Petition, kindly date-stamp the enclosed extra copy of this cover letter and return it to me in the self-addressed, stamped envelop provided.

Should you have any questions concerning this request, kindly address them to the undersigned or to Gary Joseph, Vice President of Sharenet, at 4633 W. Polk Street, Phoenix, AZ 85043, telephone number 602- 269-3201.

Very truly yours,

Amy S. Gross
Consultant for
National Brands, Inc., d/b/a/Sharenet Communications Company

cc: Gary Joseph

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	CC Docket No. 92-77
Billed party Preference for)	
InterLATA 0+ calls)	

Petition of Sharenet Communications For Extension of Waiver

Pursuant to Section 1.3 of the Commission's Rules, 47 C.F. R. § 1.3, National Brands, Inc. d/b/a Sharenet Communications Company ("Sharenet") hereby requests an extension of its waiver of the July 1, 1998 implementation date of Section 63.703(a)(4) of the Commission's rules relating to the availability of on-demand rate quotes for 0+ calls placed from aggregator locations.¹

I. Introduction and Background

The Order required that all operator service providers ("OSPs") offer customers the option of obtaining a rate quote prior to completing their call by dialing no more than two digits. Order at ¶ 17. However, the Commission recognized that some OSPs, particularly those using store and forward technology would need additional time to comply. Accordingly, it indicated that it was prepared to consider waiver requests on specific factual showing of good cause. Order at ¶27.

On June 17, 1998, Sharenet filed a request for waiver of the July 1, 1998 compliance date. On June 30, 1998, the Commission granted, in part, Sharenet's request, establishing November 1, 1998 as the date by which it must comply with the on-demand disclosure rule. The Commission also

¹ The rules were adopted in the Commission's Second Report and Order on Reconsideration (the "Order"), FCC 98-9, released January 29, 1998.

granted a separate compliance date of January 1, 1999 for collect and inmate calls.

As set forth below, although Sharenet has worked diligently to purchase, install, test and deploy the software necessary to provide on demand rate disclosure, it will not be able to provide real-time rate quotes by November 1, 1998.

II Implementation by November 1 Is Technically Infeasible

As detailed in its initial waiver request, Sharenet's switch vendor, Harris Digital Telephone Systems, responded with a firm proposal and price for the necessary switch modifications in June, 1998. That switch release had not been, and still has not been, successfully beta-tested. Nevertheless, Sharenet procured the necessary switch upgrade in September, 1998. Under normal circumstances, this should have given Sharenet a sufficient amount of time in which to install, test and then deploy the technology in its switch prior to the November 1, 1998 implementation date. Unfortunately, Sharenet has been unable to install the switch upgrade, much less test and then deploy the technology.²

At the time it procured the Harris/Protocall 2000 Release 40/41, Sharenet was informed by Harris that the software release was compatible with its existing 486 system PCs. Sharenet was also assured that its technicians could install the new software, and that there was no need to schedule an installation with a Harris technician. Unfortunately, both of these assurances have proven to be wrong.

When Sharenet attempted the installation of the software, its technicians discovered that there

² As the Commission is aware from other parties to the underlying proceeding, no technology existed to provide real time rate information when the FCC adopted its rule in January, 1998.

was no documentation with the software. After contacting Harris to obtain the documentation, Sharenet was informed that no customer documentation was available because it was not intended that customers install the release themselves. Instead, it had to be installed by Harris technicians. Again, this was inconsistent with the assurances given Sharenet at the time of order. As the attached letter shows, Harris has over-booked the support staff assigned to installing the required switch upgrade, and will not be able to complete installation by the end of the month. Sharenet is now waiting for Harris to schedule the installation. No commitment date has been given by Harris.

Similarly, after assuring Sharenet the software would work with its existing PCs, Harris subsequently informed Sharenet that this is not in fact the case, and that it would be necessary to:

- 1) upgrade the operating system in all of the PCs from OS/2 version 2.1 to OS/2 WARP Version 4;
- 2) increase the memory; and 3) change the PCs from 486s to Pentiums. Still later, Harris changed its mind again, now claiming the software **will** run on the 486 PCs and that the Pentium upgrade is not necessary (although the other two upgrades still are). Until the software is installed and tested, however, Sharenet will not know definitively whether or not an upgrade to Pentium processors will be necessary.

Finally, once Harris does install the software, Sharenet would not want to implement it across its network without a reasonable test period. Typically, the switch vendor has an arrangement with a large customer to act as a beta-test site. This customer has multiple switches as well as the manpower to oversee the testing and to divert traffic to another switch if the software is not operating properly or causes problems with other programs. It is not unusual for the beta-test to uncover problems with the software that need to be corrected and then re-tested. Indeed, Sharenet is aware that Teltrust, the beta-test site for this technology release, has experienced problems with the

software, and that, even after software redesign by the manufacturer, is still unable to successfully deploy the technology and complete successful calls.

Even after the Harris beta-test site successfully completes its testing, Sharenet must still test the technology itself, since it utilizes different PCs than some of the other Harris sites. While all of the problems affecting other carriers will also affect its implementation, Sharenet anticipates it may have unique problems of its own, not the least of which will be the issues surrounding the 486 PCs. Finally, since Sharenet handles its live operator traffic differently than the beta test site, there may be operational issues there as well.

In short, despite its reasonable best efforts to install, test and deploy the technology by November 1, 1998, it is apparent that Sharenet will not be ready to implement on demand rate quotes by that date due to the failures of the manufacturer which are beyond the control of Sharenet. Harris must first correct all of the problems uncovered during the beta-testing, and then deliver and install the new software. Sharenet must then implement and test the system to ensure that the software works properly with its network configuration and does not cause service outages or other disruptions. Sharenet customers should not have to suffer service interruptions or quality of transmission degradations as a result of premature or hastily patched together technology deployments.

III. No Harm Will Result from The Requested Waiver Extension

As set forth above, Section 1.3 of the Commission's rules provides for a waiver upon a showing of good cause and the Commission specifically anticipated in the Order that waivers may be necessary. The Commission has already recognized that good cause exists in the case of Sharenet, although it provided only an additional four months to comply and not the 11 months

which Sharenet projected it would need.

The facts set forth above demonstrate the special circumstances which support the relief requested herein and demonstrate that good cause for waiver continues to exist. Sharenet is a small operator services provider who has not been the subject of a significant number of complaints and to whom the problems in the industry cannot be said to be generally attributable. Given the small number of locations involved and Sharenet's low incidence of the types of complaints which precipitated the Commission's action in the Order, Sharenet believes that an extension of its waiver until the technology can be successfully deployed would not harm consumers and is in the public interest.³ Sharenet believes that the public interest is better served by taking the additional time to deploy a reliable, tested service than in implementing an untested system likely to engender customer confusion and frustration. Sharenet is committed to implementing the technology as soon as possible, and is hopeful that it can be completed by the end of the year. Should year-end implementation appear unlikely, Sharenet will, of course, so notify the Commission and inform of it of the anticipated implementation date.

³ Importantly, consumers will still be able to request and obtain a free rate quote before completing their calls and all phones will continue to be branded and posted with the required consumer information in accordance with Section 64.703 of the Commission's rules.

For the reasons set forth above, Sharenet requests that the Commission grant its request for a further extension of time within which to comply with the Commissions' requirement to provide on demand rate disclosure for operator assisted calls..

Respectfully submitted,

NATIONAL BRANDS, INC.
D/B/A SHARENET COMMUNICATIONS COMPANY

By: 
Its Vice President

4633 W. Polk St.
Phoenix, Arizona 85043
602-269-3201

Dated: October 28, 1998



October 27, 1998

Gary Joseph, Vice President
National Brands, Inc.
4633 West Polk Street
Phoenix, AZ 85043

Dear Gary,

I am writing this letter to inform you that our initial plans of having your Protocall 2000 Release 40/41 installation complete by the end of this month have been delayed due to internal scheduling problems.

I have discussed with our Technical Support organization and they have over booked their support staff in assisting in this upgrade. They are currently working out when the next available installation slot will be available and will inform you of that date.

I apologize for any inconvenience that this may have caused your company and or customers and assure you that this upgrade installation has been given a high priority.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Robb", with a long horizontal flourish extending to the right.

Steven M. Robb
Account Manager

Certificate of Service

I, Amy S. Gross, hereby certify that I caused to be mailed, by first class United States mail, postage prepaid, a true and correct copy of the foregoing PETITION OF SHARENET COMMUNICATIONS FOR EXTENSION WAIVER, this 28th day of October, 1998 to the persons listed below.

Randall B. Lowe
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1200 19th Street, NW
Washington, DC 20036

Dana Frix
Kathleen L. Greenan
Swidler & Berlin Chartered
3000 K Street, NW
Washington, DC 20007

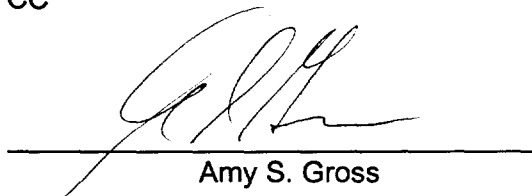
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* included in Overnight Package to FCC



Amy S. Gross